

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JAYLEN FISHER,**

Case No. 2:24-cv-00906

Plaintiff,

Chief Judge Algenon L. Marbley

vs.

Magistrate Judge Elizabeth P. Deavers

**OFFICER GRADY KISSEE, et al.,**

Defendants.

**PLAINTIFF'S RESPONSE TO DEFENDANTS' PARTIAL MOTION TO DISMISS**

On April 4, 2024, Defendants Officer Grady Kissee, the City of Columbus, the Columbus Police Department, and Elaine Bryant, Chief of Police filed a Partial Motion to Dismiss. [Doc. #8] Defendants' motion asks the Court to dismiss all claims against the Police Department and Chief Bryant, Counts III and IV of the Complaint, and Plaintiff's claim for punitive damages as against the City. Plaintiff has reviewed the motion as to these specific issues and does not oppose it.

Defendants' motion does not challenge Counts I or II of the Complaint, and Plaintiff intends to pursue its claims against the City of Columbus and Officer Grady Kissee as set forth in Counts I and II.

Respectfully submitted,

/s/ David I. Shroyer

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 25, 2024, a copy of the foregoing instrument was submitted to the Court using the Court's CM/ECF system. Copies will be served upon counsel of record by, and may be obtained through, the Court's CM/ECF system.

*/s/ David I. Shroyer* \_\_\_\_\_  
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*Counsel for Plaintiff*